

CORY HUTCHESON 11/15/2017

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1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF MISSOURI
3 SOUTHEASTERN DIVISION

4 DEVIN J. ARNOLD, as Natural)
5 Father and Next Friend of)
6 Minors K.D.A. and B.J.A,)

7 Plaintiffs,)

8 vs.)

Case No. 1:17-cv-0068

9 MISSOURI COUNTY, MISSOURI,)
10 KEITH MOORE, JOSH, COOPER,)
11 CHRIS WOOTEN, SALLY YANEZ,)
12 CORY HUTCHESON, CURTIS ARNOLD)
13 JAMES WILLIAMS, BRENT DOUGLAS)
14 CITY OF CHARLESTON, and)
15 ROBERT HEARNES,)

16 Defendants.)

17
18 VIDEOTAPED DEPOSITION OF CORY HUTCHESON
19 TAKEN ON BEHALF OF THE PLAINTIFFS
20 November 15, 2017

21 (Starting time of the deposition: 2:14
22 p.m.)
23
24
25



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16 (Original exhibits retained by the reporter and
17 attached to Mrs. Jessica Agnelly's transcript.)
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17 JAMES WILLIAMS, BRENT DOUGLAS)
18 CITY OF CHARLESTON, and)
19 ROBERT HEARNES,)
20)
21 Defendants.)
22)
23)
24)
25)

13 Videotaped Deposition of Cory Hutcheson,
14 produced, sworn, and examined on November 15, 2017,
15 between the hours of eight o'clock in the forenoon and
16 six o'clock in the afternoon of that day, at the office
17 of Mississippi County Courthouse, 200 North Main
18 Street, Charleston, Missouri, 63834 , before Joanna
19 Charlton, RPR, CCR(MO), CSR(IL), in a certain cause now
20 pending in the United States District Court, Eastern
21 District of Missouri, Southeastern Division, in re:
22 DEVIN J. ARNOLD, et al. vs. MISSISSIPPI COUNTY,
23 MISSOURI, et al.; on behalf of the Plaintiffs.
24
25

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1 A. I don't remember. That's a question you'd
2 have to ask the officer that dressed her out.

3 Q. If somebody does try to sneak something in,
4 is that reported in a specific way?

5 A. Well, it depends on what it is.

6 Q. If it's illegal drugs?

7 A. Well, if it was illegal drugs, the officer
8 would seize it and turn it over to me.

9 Q. I meant to ask you this earlier when we were
10 talking about surveillance in the holding rooms. Can
11 those be turned off at any given time?

12 A. Only if you -- if the power were to go off
13 or if someone were to shut off the -- the DVR, you
14 know, you know, to kill power to the whole camera
15 system throughout the facility.

16 Q. Who has the ability to turn them off?

17 A. Well, it would be in the control room.

18 Q. Who has the ability to access the
19 information from them?

20 A. Me.

21 Q. Just you or you and the sheriff?

22 A. It was password protected. I was the only
23 one who was able to download video. The corrections
24 officers are able to review, but they couldn't
25 download.

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1 **Q. Who has the ability to erase?**

2 A. You can't unless you erase the whole hard
3 drive.

4 **Q. And so I know you took the videos from this**
5 **incident; correct?**

6 A. Right.

7 **Q. And so you were able to get that video off.**
8 **Did that cause anything else to erase on it?**

9 A. No.

10 **Q. You were just able to copy that, or how did**
11 **that work?**

12 A. Well, I downloaded it. I accessed the DVR
13 remotely from my work computer, you know, through the
14 network, and using software on my computer, I was able
15 to download the video. Now, the -- some of the video
16 was -- because we had -- we have three different camera
17 systems, and one of them the camera system that was
18 actually aimed inside her cell was operating on an
19 older software that I couldn't remotely download. I
20 had to go to it and stick a -- I think a thumb drive,
21 maybe a DVD. I don't remember for sure, but you had to
22 be at the machine to download that video to the -- to
23 the disc.

24 **Q. And when you download it to a disk, does it**
25 **erase it from the original?**

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1 A. No, no.

2 **Q. What is the retention policy for keeping the**
3 **actual original?**

4 A. The original would be overwritten once the
5 disk's full, which on some DVRs might be 20 days and on
6 another DVR might be 10. That's part of the reason why
7 I stayed there that day, you know, and downloaded
8 everything.

9 **Q. Is there somebody that's always in a hold**
10 **room, or are there sometimes that they're empty?**

11 A. There's a lot of times when they're empty.

12 **Q. Does the video still run even though they're**
13 **empty?**

14 A. Yes.

15 **Q. Is there any type of policy that once an --**
16 **either a death or an injury happens that videos are**
17 **automatically preserved or saved or downloaded or --**

18 A. I don't think that there's -- there -- I
19 think there might actually be a written policy on it.
20 It just seemed like a logical thing to do to me, and,
21 you know, I'd add that you asked about the ability to
22 disconnect or somehow turn off the cameras in the
23 holding cell. Well, the camera system -- the DVRs in
24 the control room are actually on cameras themselves.
25 So if any jailer was standing over there by them, they

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1 would be on camera. So that's -- you know, there's --
2 there's no way that would happen.

3 Q. Have you ever been told that Ms. Nunnally
4 tried to sneak in drugs that night that she was
5 arrested?

6 A. I don't think so. They may have told me
7 that she had something like a phone or something in her
8 pocket or bra. I don't remember, but, no, never
9 anything about any drugs.

10 Q. You have not been told that she ingested any
11 type of substance while in custody of either Charleston
12 or Mississippi County?

13 A. Have I been told that?

14 Q. Yes.

15 A. No. No one's actually told me -- I know
16 that at some point in her life she ingested drugs
17 because of the toxicology and the blood draw from the
18 hospital, you know. So I knew that she had something
19 in her system.

20 Q. But as far as have you ever been told or
21 have you seen or do you have any knowledge on whether
22 she ingested any type of drugs while in custody of
23 either Charleston or Mississippi County?

24 A. No. I don't think so.

25 Q. Did you do any type of count for how many